

**Notice of Allowability**

Application No.

10/822,488

Applicant(s)

TOGASHI, HARUO

Examiner

Jonathan R. Plante

Art Unit

2182

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 05 July 2007.
2. ☒ The allowed claim(s) is/are 1-9.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

**DETAILED ACTION**

1. This Office Action is in response to the applicant's communication filed 05 July 2007 in response to PTO Office Action mailed 09 May 2007. The Applicant's remarks and amendments to the claims and/or the specification were considered with the results that follow.

**Claim Amendments**

2. Acknowledgment of receiving amendments to the claims, which were received by the Office on 05 July 2007. Claims 2, 3 and 7 were amended.

The objections to the claims have been withdrawn due to amendment filed on 05 July 2007.

**Response to Arguments**

3. Applicant's arguments, see "**REMARKS**", filed 05 July 2007, with respect to independent Claims 1, 4, and 7 have been fully considered and are persuasive. The rejections of claims 1-9 have been withdrawn.

**EXAMINER'S AMENDMENT**

4. Authorization for this examiner's amendment was given in a telephone interview with Michael R. Kelly (Reg. No. 33,921) on 25 September 2007.

The application has been amended as follows: (Claim 7, Line 23): After "to be removed," insert "from a lower side,".

**Conclusion**

5. Additionally the Examiner cites Sato et al. (US 2002/0003905 January 10, 2002) and Okada (US 2002/0154823 A1 October 24, 2002) as disclosing the state of the art at time of the invention. However, Sato et al. and Okada fail to disclose the limitation presented above for the reasons of allowability specifically:

- a. Sato et al. does teach a system (discrete wavelet transformer, quantizer, entropy encoder, and code sequence forming unit/formatter) for encoding data into bit planes according to frequency bands that are organized from most significant bit plane to least significant bit plane. The application of a predetermined threshold level for noise removal, and the designation of regions of interests.
- b. Okada does teach the application of not decoding lower bit-planes when predetermines time limits associated with image elements (luminance and chrominance) are exceeded. Each image or video frame is independent from the other frames and the number of bit-planes decoded is not set to a predetermined number, only a predetermined period of time allocated for decoding the elements making each image/frame independent and the number of bit planes not constant.

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6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan R. Plante whose telephone number is (571) 272-9780. The examiner can normally be reached on Monday -- Thursday 10:00 AM to 4:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Huynh can be reached on (571) 272-4147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

September 24, 2007  
JRP

/Jonathan R. Plante/  
Examiner Art Unit 2182



KIM HUYNH  
SUPERVISORY PATENT EXAMINER

9/27/07